

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, AUGUST 2, 2006, 7:00 P.M.**

The City Council of the City of Leon Valley, met for a Regular Meeting on the 2nd day of August 2006 at 7:00 p.m., at the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

Call to Order and Pledge of Allegiance.

Mayor Pro Tem Liz Maloy called the meeting to order and asked that the minutes reflect that the following members of Council were present: Reyna, Semmelmann, and Dean.

City Manager Cortes, City Secretary Feutz, Fire Chief Irwin, Interim Police Chief Wallace, Interim Director of Public Works Stolz, City Accountant Wallace, Community Development Director Smith, Economic Development Liaison Caldera, Human Resources Officer Schendel, and Library Director Trent were also present.

Mayor Pro Tem Maloy lead the Pledge of Allegiance.

Mayor Pro Tem Maloy explained to the audience the voting privileges held by the Mayor Pro Tem as chair of the Council meeting in the absence for the Mayor.

Consider approval of amended minutes of the Regular City Council Meeting of July 6, 2006.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Dean, to approve the amended minutes of the Regular City Council Meeting of July 6, 2006. Upon vote, the motion carried unanimously.

Consider approval of the minutes of the Regular City Council Meeting of July 18, 2006 and the Special City Council Meeting of July 28, 2006.

A motion was made by Councilmember Reyna, seconded by Councilmember Dean, to approve the minutes of the Regular City Council Meeting of July 18, 2006 and the Special City Council Meeting of July 28, 2006. Upon vote, the motion carried unanimously.

Presentation of Certification of Appreciation to Dr. Donald Gordon, Medical Director

Mayor Pro Tem Maloy presented a Certificate of Appreciation thanking him for over seventeen years professional services to the City of Leon Valley as the Emergency Medical Service (EMS) Medical Director. Chief Stan Irwin, L.V.F.D., also thanked Dr. Gordon and read a list of accomplishments and his notable achievements to the audience and thanked him for his dedication. Engineer Alex O'Rourke presented Dr. Gordon with an engraved plaque in appreciation of his service. Dr. Gordon thanked the City and the Fire Department and complimented them for the highly trained EMS staff.

Citizens to Be Heard and timing for objections to the Consent Agenda.

Mayor Pro Tem Maloy then asked Council if any member of Council wish for any item on the Consent Agenda to be pulled for further discussion; hearing no one, she asked if anyone in the audience wished to address Council on any issue not on the agenda. Hearing no one, Mayor Pro Tem Maloy asked if anyone wished to address Council on an item on the agenda, that was not included in a public hearing agenda item. No one appeared to address Council.

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Consent Agenda

Consider M&C 08-01-06 with attached ordinance - Request for a franchise agreement with Northside Independent School District (NISD) to construct and maintain underground telecommunications lines and related facilities between certain NISD facilities. The proposed line would run between existing NISD facilities on Grissom Road under Shadow Mist to the NISD school facility at 6901 Shadow Mist Drive. Staff recommends approval.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Reyna, to approved the Consent Agenda. Upon vote, the motion carried unanimously.

Regular Agenda

Consider M&C 08-02-06 - Request to for use of the Conference Center with no rental fee nor deposit by the Blue Star Mothers organization.

Resident Chris Peche, President of the San Antonio Chapter of the Blue Star Mother's Group, addressed Council explaining that their organization wished to use the Conference Center without rental charge to show the movie "My Child, Mothers of War" a documentary movie about the mothers of the military. City Manager Cortes explained that it would not be a donation, but rather we would allow the group to use the facility without charge, except the group will pay for the cleaning fees.

After discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Reyna, to approve the request to allow the Blue Star Mother's organization to use the Conference Center as requested. Upon vote, the motion carried unanimously.

Public Hearing to consider Specific Use Permit Case #06-250 with attached ordinance - a request by Henry Lopez, applicant and property owner, for operation of a "Restaurant and/or Food Service Establishment with a Drive-Thru," to be located at 6030 Bandera Road.

Mayor Pro Tem Maloy announced the public hearing for Specific Use Permit Case # 06-250 and stated that the applicant has requested that the case be withdrawn from consideration.

A motion was made by Councilmember Dean, seconded by Councilmember Reyna, to approve the withdrawal of the Specific Use Permit Case # 06-250 from consideration. Upon vote, the motion carried unanimously.

Public Hearing to consider Specific Use Permit Case #06-251 with attached ordinance - a request by St. John Baptist Church, applicant, for operation of a "Church", to be located at 6800 Evers Road, being Lot 4, Block 2, CB 4446, Horizon Subdivision.

Community Development Director Melinda Smith addressed Council stating that Specific Use Permit Case #06-251 was a request by St. John Baptist Church, the applicant and property owner, for a continuous specific use permit for operation of a "Church" at 6800 Evers Road, being Lot 4, Block 2, CB 4446, Horizon Church Subdivision. Ms. Smith reviewed the zoning and platting background of the property and stated that the site plan met the minimum requirements for site plan development, including parking. She stated that 30 letters were sent to property owners with two hundred feet of the property and one letter was received in favor of the case, two letters were received in opposition to the case, and no letters were returned undeliverable.

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Zoning and Land Use Commission (ZALUC) Vice Chair, Linda Persyn, addressed Council stating that on July 25, 2006, the ZALUC met and voted seven to zero to recommend approval of the case.

Sam Mitchell, agent for the applicant, addressed Council stated that their church is relocating to Leon Valley and has 145 church members.

Mayor Pro Tem Maloy opened the public hearing to the audience at 7:22 p.m. She asked if anyone wished to speak in favor of the case. Seeing no one, she asked if anyone wished to speak in opposition to the case. Seeing no one, she closed the public hearing at 7:24 p.m.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Dean, to approve Specific Use Permit Case # 06-251 as presented. Upon vote, the motion carried unanimously.

Public Hearing to consider Specific Use Permit Case #06-252 with attached ordinance - a request by Robert Watts, agent for the applicant and property owner, Sharon Ford, to allow "new construction" at 6734 Poss Road, being Lot 66, Block 4, CB 5784, Crossways- SJR Poss Subdivision, Unit #6.

Community Development Director Smith addressed Council stating that Specific Use Permit Case (SUP) # 06-252 was a request by Robert Watts, agent for Sharon Ford, applicant and property owner, for "new construction" at 6734 Poss Road, being Lot 66, Block 4, CB 5784, Crossways - SJR Poss Subdivision Unit #6. She explained that the SUP was required for the "new construction" as the use "Child Care Facility" is allowed in a B-3 (Commercial) zoned district without a SUP. Ms. Smith reviewed the platting and zoning of the property and stated that the site plan meets the minimum requirements for site plan development including parking and landscaping. Ms. Smith stated that five letters were mailed to property owners within two hundred feet of the site and no letters were received in favor of nor in opposition to the case and no letters were returned undeliverable.

Zoning and Land Use Commission (ZALUC) Vice Chair, Linda Persyn, addressed Council stating that on July 25, 2006, the ZALUC met and voted seven to zero to recommend approval of the case.

Agent Robert Watts addressed Council stating that the child care facility is being expanded by the property owner. He stated that the business owner will add more playground equipment and play areas in addition to the additional class space on the site.

Mayor Pro Tem Maloy opened the public hearing to the audience at 7:29 p.m. She asked if anyone wished to speak in favor of the case. Seeing no one, she asked if anyone wished to speak in opposition to the case. Seeing no one, she closed the public hearing at 7:31 p.m.

A motion was made by Councilmember Reyna, seconded by Councilmember Dean, to approve Specific Use Permit Case # 06-252 as presented. Upon vote, the motion carried unanimously.

Public Hearing to consider Specific Use Permit Case #06-253 with attached ordinance - a request by Tammie Rizan, agent for Church On The Rock, applicant and property owner, to allow operation of a "Child Care Facility", to be located at 6401 Bandera Road, being Lot 4, CB 4429, Seneca Estates Unit #7 Subdivision.

Community Development Director Smith addressed Council stating that Specific Use Permit (SUP)

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Case # 06-253 was a request by Tammie Rizan, agent for Church on the Rock, applicant and property owner, for operation of a "Child Care Facility" at 6401 Bandera Road, being Lot 4, CB 4429, Seneca Estates Subdivision Unit #7. She further stated that the SUP is required for a "Child Care Facility" in a B-2 (Retail) zoned district. Ms. Smith reviewed the zoning history of the property and stated that the child care was to be offered as a service of the Church and that the site plan met the minimum requirements for site plan development, including parking. Ms. Smith stated that twenty-three (23) letters were mailed to property owners within two hundred feet of the property with no letters received back in favor of the case, six letters opposed to the case, and no letters returned as being undeliverable. Ms. Smith also noted that two of the letters in opposition to the case were from residents outside of the two hundred feet perimeter.

Zoning and Land Use Commission (ZALUC) Vice Chair, Linda Persyn, addressed Council stating that on July 25, 2006, the ZALUC met and voted seven to zero to recommend approval of the case.

Agent Tammie Rizan addressed Council stating that she was the school administrator for Church on the Rock. She stated that they would be categorized as a Child Care facility by the State for two three-hour class sessions for the child care facility. She explained that the Church would be opening a home school and co-op for children from aged three up to about grade six.

Council asked about a school versus a child care facility, Development Director Smith stated that the applicant would need to return to Council to request a SUP for operation of a school in the future, but that as long as the facility is for pre-school and kindergarten-aged children, they can operate under the child care facility designation.

Discussion continued on traffic impact studies done previously for the site, state law setting the maximum number of students that can be cared for based upon square footage of the facility, and the impact of the Bandera Road flyover on existing cross-overs on Bandera Road.

Mayor Pro Tem Maloy opened the public hearing to the audience at 7:46 p.m. She asked if anyone wished to speak in favor of the case. Seeing no one, she asked if anyone wished to speak in opposition to the case. Seeing no one, she closed the public hearing at 7:48 p.m.

Following Council discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Dean, to approve Specific Use Permit Case # 06-253 as presented. Upon vote, the motion carried unanimously.

City Manager's report.

Economic Development Liaison Crystal Caldera presented information on a Psychographic Profile Analysis to council explaining that the report provided a glimpse into the lifestyle, buying and spending characteristics of households within a seven-minute drive-time for retail trade area. She explained that nine segments were identified and presented information on retail businesses that would target those nine segments. She stated that the report is a marketing tool that can be used to encourage new retail to locate in Leon Valley.

City Manager Cortes stated that he had nothing to report.

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Citizens to be Heard.

Resident Irene Baldridge addressed Council asking if there was any mechanism that would encourage commercial property owners to improve their properties. City Manager Cortes stated that with no Economic Development Tax funds there was little that the City could do. Council commented that many of the business center owners are absentee owners.

Resident Linda Persyn addressed Council stated that existing tenants in business centers should consider encouraging the center owners to improve center appearance.

Announcements.

Mayor Pro Tem Maloy asked Interim Chief Randall Wallace to report on the August 1st National Night Out activities in Leon Valley. Chief Wallace reported that there were seventeen registered event sites this year, five more than last year. He thanked Council and the community for their participation.

Mayor Pro Tem Maloy asked Library Director Trent to report on the Library's recent activities. Joyce Trent reported on the summer reading program and stated that 2007 would bring the 30th anniversary of the library.

Mr. Cortes reminded everyone of the Budget Workshop to be held at 6:00 p.m. on Monday, August 7, 2006 in Council Chambers.

Councilmember Semmelmann commended staff for their work on the budget. He expressed his concerns about a 29-year old fire truck and two old EMS ambulances that would need to be replaced.

Councilmember Dean thanked everyone for their participation in the National Night Out activities.

Mayor Pro Tem Maloy reminded everyone that the next Trade and Market Day would be held on Saturday, August 12, 2006.

City Secretary Feutz reminded everyone of the Open Government Training to begin at 7:00 p.m. in Council Chambers on Tuesday, August 8, 2006.

Adjourn

A motion by Councilmember Maloy, seconded by Councilmember Dean, to adjourn the meeting. Mayor Pro Tem Maloy adjourned the meeting at 8:28 p.m.

Mayor Chris Riley

Mayor

ATTEST:

Marie Feutz

City Secretary

Approved by Council vote on August 15, 2006 at the Regular City Council Meeting.